

REMARKS

The present Amendment amends claim 7 and leaves claims 5 and 6 unchanged. Therefore, the present application has pending claims 5-7.

Claims 5 and 6 stand rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 15 of prior U.S. Patent No. 6,430,292). Applicants do not agree with this rejection. However, in order to expedite prosecution of the present application filed on even date herewith is a Terminal Disclaimer obviating this rejection. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

It should be noted that the filing of the Terminal Disclaimer was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 5 and 6 are taught or suggested by claim 15 of the prior patent. The filing of the Terminal Disclaimer was simply intended to expedite prosecution of the present application.

Applicants acknowledge the Examiner's indication in paragraph 6 of the Office Action that claim 7 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Amendments were made to claim 7 to place it in independent form including all the limitations of the base claim and any intervening claims. Therefore, claim 7 is allowable as indicated by the Examiner.

In view of the foregoing amendments and remarks, applicants submit that claims 5-7 are in condition for allowance. Accordingly, early allowance of claims 5-7 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (501.36148CX2).

Respectfully submitted,

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